

SECOND: That since the acquisition of said property, the parties hereto were divorced by Decree of this Court, dated the 16th day of March, 1976, and by operation of law, the said parties are now the owners of a one-half undivided interest each as tenants in common in said real estate.

THIRD: That the said real estate is subject to a mortgage dated August 11, 1965, from Franklin L. Lantz and Vivian F. Lantz, his wife, to The Thurmont Bank, a body corporate, in the principle amount of \$13,000.00, said mortgage being recorded in Liber 730, Page 469, one of the Land Records of Frederick County, Maryland. (A copy of said mortgage is attached hereto and marked Complainant's Exhibit "B".)

FOURTH: That your Complainant avers that the property cannot be divided in kind without loss or injury to either party in interest.

WHEREFORE, your Complainant prays:

1) That this Court decree the sale of the subject property in lieu of partition, and divide the money resulting from the sale among the parties according to their respective rights.

2) And for such other and further relief as the nature of his case may require.

And as in duty bound, etc.

NIKIRK, NIKIRK, AND NIKIRK

By

Edwin F. Nikirk II
Edwin F. Nikirk II

Attorney for Complainant
110 North Court Street
P.O. Box 551
Frederick, Maryland
662-1781

Franklin L. Lantz
FRANKLIN L. LANTZ
Complainant

I do solemnly declare and affirm, under the penalties of perjury, that the statements contained in the foregoing Bill of Complaint are true to the best of his knowledge, information and belief.

Franklin L. Lantz
FRANKLIN L. LANTZ

Filed November 12, 1980